

MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY

Santa Fe, New Mexico

October 8, 2003

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico was called to order on this date at approximately 4:00 p.m. in City Hall Council Chambers. Following the Pledge of Allegiance and Invocation, Roll Call indicated the presence of a quorum, as follows:

Members Present:

Mayor Larry A. Delgado
Councilor Carol Robertson Lopez, Mayor *Pro Tem*
Councilor Patti J. Bushee
Councilor Miguel M. Chavez
Councilor David Coss
Councilor Karen Heldmeyer
Councilor Matthew E. Ortiz
Councilor David Pfeffer
Councilor Rebecca Wurzbarger

Members Excused:

None.

APPROVAL OF AGENDA

Mayor Delgado stated that an ordinance and a resolution on the collection of the 1% tax adopted by the Legislature is coming through the pipeline, and he was hoping the City Council could vote on this at the November meeting. He asked the City Attorney to advise the Governing Body on this issue.

Mr. Thompson responded that the historic procedure of the City Council has been to have a published notice and then have the Council vote to send the matter out for publication and then hold a subsequent hearing. He added, however, that there is no requirement under State law or City ordinance that this procedure be followed, although there is some implication in the Governing Body procedural rules that this is the way it should be handled.

Mr. Thompson stated, therefore, that there could be direction given to the City Manager to proceed with publication and have this heard as early as the second meeting of this month.

Responding to questioning from Councilor Heldmeyer, Mayor Delgado said he would prefer that this issue bypass the committee process and come directly to the City Council on October 29.

Councilor Lopez moved to approve the Agenda, as published, and to further direct staff to expedite the placement on the Council Agenda of the resolution and ordinance concerning the building of a civic center.

The motion died for lack of a second.

Following discussion that this issue could be heard at the October 20 Finance Committee, Councilor Coss commented that three weeks seemed a “little too quick” for him, noting that the resolution spoke to issues that the Council only scratched the surface of at last week’s study session. He said he would prefer more public discussion before adoption.

Councilor Coss said he realized the ordinance was only to adopt the 1% tax, but when he agreed to co-sponsor it, “it didn’t occur to me that we’d vote on it in three weeks.”

Councilor Wurzbarger stated that she would be more comfortable with having this happen at the November meeting, as discussed with staff previously. She said staff feels that would allow time for another study session to answer some of the questions posed by some Councilors.

Councilor Pfeffer asked if it could also go to the Public Works Committee, and City Clerk Yolanda Vigil responded that the next meeting of that Committee is October 14. She said it could go to Finance on the 20th and be on the October 29 Council agenda. She stated that the next Council meeting would be November 12.

Mayor Delgado said he would like to see this item on the October 29 agenda, then.

Councilor Lopez moved approval of the Agenda, and to take what action is necessary to publish notice to hear the 1% tax at the earliest meeting. Councilor Wurzbarger seconded the motion, which was defeated on the following Roll Call vote:

For: Councilor Lopez; Councilor Pfeffer; Councilor Wurzbarger.

Against: Councilor Bushee; Councilor Chavez; Councilor Coss; Councilor Heldmeyer; Councilor Ortiz.

Councilor Lopez moved to hear this at the November 12 meeting. Councilor Wurzbarger seconded the motion.

Raising a point of order, Councilor Bushee stated that the Council should be approving the agenda, which was why she voted no. She commented, "This is very unorthodox and I'm not sure why this is happening."

Mayor Delgado called for a vote on a motion to approve the Agenda.

Councilor Coss moved approval of the Agenda, as published. Councilor Heldmeyer seconded the motion, which passed 7-0 by voice vote, with Councilor Bushee, Councilor Chavez, Councilor Coss, Councilor Heldmeyer, Councilor Lopez, Councilor Pfeffer and Councilor Wurzbarger voting for, and none against. [Not present during this action: Councilor Ortiz.]

APPROVAL OF CONSENT CALENDAR

Upon motion by Councilor Lopez, seconded by Councilor Ortiz, the following Consent Calendar was approved without amendment by Roll Call vote:

For: Councilor Chavez; Councilor Coss; Councilor Heldmeyer; Councilor Lopez; Councilor Ortiz; Councilor Pfeffer, Councilor Wurzbarger; Councilor Bushee.

Against: None.

- a) Request for Approval of Grant Award — Programming Support for DWI Program for Municipal Court; Supreme Court of New Mexico.
 - 1) Request for Approval of Budget Increase — Municipal Court, General Fund.
- b) Request for Approval of Grant Award — ArtWorks Program; Los Alamos National Laboratory Foundation.
 - 1) Request for Approval of Budget Increase — Grant Fund.
- c) Request for Approval of Budget Increase — Equipment and Equipment Maintenance/Repairs for GCCC; Equipment Reserve Fund.
- d) Request for Approval of Budget Increase — Equipment and Computer Hardware/Software for MRC; 1/2% CIP GRT Fund.
- e) Request for Approval — Employee Life Insurance Benefit Plan, Excess Risk and Aggregate Excess Risk Insurances; ING Employee Benefits.

- f) Request for Approval of Procurement Under State Price Agreements — Nineteen (19) Vehicles for Police Department:
 - 1) Galles Chevrolet
 - 2) Rich Ford
 - 3) Bob Turner's Ford
- g) Request for Approval of Procurement Under State Price Agreement — Twenty-seven (27) Radar Units for Police Department; Kustom Signals, Inc.
- h) Request for Approval of Procurement Under State Price Agreement — Thirty-seven (37) In-vehicle Cameras for Police Department.
- i) Request for Approval of Procurement Under State Price Agreement — Accessory Vehicle Equipment for Police Department; First In, Inc.
- j) Request for Approval of Amendment No. 1 to Agreement — Legal Services for Municipal Court; Art Michael.
- k) Request for Approval of Amendment No. 3 to Legal Services Agreement; Miller & Van Eaton, PLLC.
 - 1) Request for Approval of Budget Increase — Risk Management Fund.
- l) Request for Approval of Cooperative Agreement — Shared Use of Facilities, Resources and Services; Santa Fe Public Schools.
- m) Request for Approval of Cooperative Severance Tax Agreement — Paseo de la Conquistadora Paving Project; New Mexico Department of Transportation.
 - 1) Request for Approval of Budget Increase — Project Fund.
- n) CONSIDERATION OF RESOLUTION NO. 2003-90. (Mayor Delgado)
A Resolution in Support of the Design and Construction of Camino de los Montoya Improvements Project, CIP 855A.
 - 1) Request for Approval of Professional Services Agreement — Engineering Services for Camino de los Montoyas Improvements Project (RFP No. 2004/02/P); Gannett Fleming West, Inc.
 - 2) Request for Approval of Budget Transfer/Increase — CIP Reallocation Fund/Project Fund.
- o) CONSIDERATION OF RESOLUTION NO. 2003-91. (Mayor Delgado)
A Resolution Authorizing and Approving Submission to the Department of Finance and Administration, Local Government Division, an Executed Grant Agreement for Financial Assistance for the Buckman Supplemental Wells No. 10-13 Regional Water Project.

- 1) Request for Approval of Grant Agreement — Buckman Supplemental Wells No. 10-13 Regional Water Project; State of New Mexico Department of Finance and Administration.
- 2) Request for Approval of Budget Increase — Grant Fund.
- p) Request for Approval of Modification No. 005 to Cooperative Agreement — Santa Fe Water Reclamation and Reuse Project; U.S. Department of Interior Bureau of Reclamation.
 - 1) Request for Approval of Budget Increase — Grant Fund.
- q) Request for Approval of Amendment No. 4 to Professional Services Agreement — Engineering Support Services for Santa Fe Water Supply Plan; Camp Dresser and McKee, Inc.
 - 1) Request for Approval of Budget Transfer — Project Fund.
- r) CONSIDERATION OF RESOLUTION NO. 2003-92. (Councilor Heldmeyer)
A Resolution Relating to a Request for Approval of First Quarter Budget Adjustments for Fiscal Year 2003/2004.
 - 1) Review of FY 2002/2003 Year End Reports.
- t) Request for Approval to Publish Notice of Public Hearing for October 29, 2003 City Council Meeting:
 - 1) BILL NO. 2003-33: An Ordinance Amending Sections 20-4 and 20-18 SFCC 1987, Regarding Graffiti and Spray Paint Sales. (Councilor Chavez, Councilor Heldmeyer, Councilor Lopez and Councilor Bushee)
 - 2) BILL NO. 2003-36: An Ordinance Amending Section 14-8.13 SFCC 1987 and 14-3.1 SFCC 1987 Regarding the Annual Water Budget Ordinance and Making Such Other Changes That are Necessary.
 - a) RESOLUTION NO. 2003-____. A Resolution Amending Resolution No. 2002-55, the Annual Water Budget Administrative Regulations and Procedures. (Councilor Ortiz)

APPROVAL OF MINUTES: September 24, 2003

Councilor Lopez moved approval of the September 24, 2003, Minutes, as submitted. Councilor Chavez seconded the motion, which passed 8-0 by voice vote, with Councilor Bushee, Councilor Chavez, Councilor Coss, Councilor Heldmeyer, Councilor Lopez, Councilor Ortiz, Councilor Pfeffer and Councilor Wurzbarger voting for, and none against.

PRESENTATIONS

Muchas Gracias Certificates and Recognition Ceremony to the Nine Winners of the 2003 Bookmark Design Contest. (Susie Sonflieth)

Ms. Sonflieth stated that the sixth annual Festival of the Book, which begins on October 11, has grown to an eight-day celebration. She referred to copies of the schedule, poster, flyers, and a membership to Friends of the Library.

The nine winners of the annual student bookmark design contest, with their teachers, came forward and stood next to enlargements of their designs.

Ms. Sonflieth noted that, thanks to the contributions received, 15,000 entry forms were distributed, and 32 schools submitted entries. She said 1,400 entries were received.

Governor Richardson's Investment Partnership — Improvements to the Transportation System in New Mexico. (Rhonda Faught)

Transportation Secretary Rhonda Faught was present with DOT Commission vice chair David Schutz, District Engineer John McElroy, Deputy Secretary for Engineering Andres Aragon Diamonte, and other DOT staff members.

Secretary Faught discussed GRIP, Governor Richardson's Investment Partnership, "a bold, innovative new plan to upgrade and improve highways throughout the state of New Mexico."

Secretary Faught referred to a pamphlet of the Department of Transportation's guiding principles, which stated that the DOT "is committed to developing accessible, connected and sustainable multimodal transportation opportunities for New Mexico and partnerships with local governments."

Secretary Faught also reviewed a color-coded map of the NM DOT statewide transportation improvement program. Expansion projects under GRIP were in blue, critical needs projects under GRIP were in red, and projects under the State Transportation Improvement Program were in green.

Secretary Faught reviewed the features of the multimodal system, which would be funded through a \$1.5 billion infrastructure transportation improvement program, which would create 8,000 jobs annually over the next seven to eight years. She said gross receipts taxes to the State would exceed \$80 million, and to cities it would be \$20-\$30 million. She noted that the economic benefit of a \$1.5 billion construction program would create an impact of \$8.4 billion in turnover.

In reviewing the features of the system, Secretary Faught said the DOT is looking at air service across New Mexico with links inside and outside of the state, as well as linking the Albuquerque Airport to New Mexico City and Chihuahua.

Commissioner Schutz asked the City Council for its support of the resolution. He said the road improvement program represents an economic stimulus initiative that the Governor wants to implement over the next several years, and the economic benefit to the City of Santa Fe would be very significant.

Councilor Heldmeyer noted that the City will shortly go to bid for the Old Pecos Trail redesign, and the City is very grateful for the money from the Department of Transportation. She stated that people look forward to seeing the safety improvements implemented while maintaining the look and feel of the road. She said the City is short about \$2 million, however, for the Cordova/Old Pecos Trail corner and sidewalks from there down to the Old Santa Fe Trail/Old Pecos Trail split.

Secretary Faught stated that her Department is being particularly careful about using in-context design methods in historical areas, and in working closely with communities, arts councils and so forth.

Councilor Coss said he had especial interest in the commuter rail and public transportation aspects, and hoped that could be prioritized.

Councilor Coss asked where the \$1.5 billion will come from, and Secretary Faught responded that the Blue Ribbon Tax Commission will make its report on October 14. She said her group has met several times with the Tax Commission and given them several ways of potentially improving revenues into the road fund — not by increasing taxes, but by increasing user fees. She said Governor Richardson has not committed to any particular revenue enhancement ideas at this point.

Santa Fe Coalition to END Violence — Progress and Plans for Community Outreach. (Chief Lennen)

Santa Fe Police Chief Beverly Lennen stated that, on April 9, the Governing Body adopted a resolution creating a coalition comprising City, State and County personnel; nonprofit service providers, and business owners. She said the commitment at the time was to have the City's support and be a part of efforts to educate city residents on violence in the community, and to show how each person has a responsibility to get involved. She said she looks forward to the time when there is zero tolerance for violence, adding that the Coalition is working toward that end.

Chief Lennen said a great deal of work has gone into the timeline and task steps listed in the resolution; and today, she would provide an update on those efforts. She recognized business owner Nicholas Balas, who reported sexual violence near his business; and when he contracted Councilor Pfeffer, a partnership began to develop because it was clear the City had some safety issues for residents and visitors.

Chief Lennen said the Coalition's work has resulted in: a flyer that will go out to the community in English and Spanish, identifying the problem and how people can get involved; outreach efforts, going into businesses, lunch meetings, other government agencies, and bringing in the State and County; training; changes in lighting in certain downtown areas, particularly on Alameda; community education, involving posters for the buses, efforts to leverage support from the Governor's office, because of his commitment to domestic violence; press releases, and access, through these various efforts, to victims and potential victims of violence.

Annual Parks and Recreation Halloween Event. (Darlene Ortega)

Recreation Division representative Darlene Ortega invited the Governing Body to the 10th annual Halloween event, to be held on Sunday, October 26, from noon to 4:30 at the Toby Roybal Gym, Santa Fe High School. She said this event is part of the MOU the City has with the Santa Fe Public Schools.

Proclamation — "Municipal Clerks Institute 20th Anniversary Week."

City Clerk Yolanda Vigil announced the 20th anniversary of the start of the Clerks Institute, which will be celebrated in Rio Rancho next week. She said a banquet will be held Thursday night.

Ms. Vigil stated that the Clerks Institute began in 1983, and she is a Certified Municipal Clerk and will be going for her next certification as Master Municipal Clerk.

Ms. Vigil said she is currently president of the Municipal Clerks and Finance Officers Association for New Mexico.

Mayor Delgado read a proclamation declaring October 13-17, 2003, as Municipal Clerks Certification Institute's 20th Anniversary Week, and extending appreciation to Municipal Clerk Yolanda Y. Vigil, who has obtained her CMC designation, and to the New Mexico Clerks and Finance Officers Association "for promoting the professional image of the municipal clerks."

CONSIDERATION OF RESOLUTION NO. 2003-94.

(Councilor Lopez and Councilor Ortiz)

A Resolution Creating a Blue Ribbon Committee for Obtaining Grants and Unique Funding for the Programs of the Santa Fe Community Library.

Councilor Lopez said the Blue Ribbon Committee's job will be to call upon groups such as the American Association of University Women, the League of Women Voters, the Rotary, Kiwanis, Somos un Pueblo Unido, and other groups in the community and see what they can come up with in finding various grants and other forms of support.

Community Services grant writer Terrie Rodriguez said Friends of the Library have been very proficient in finding the kinds of funds necessary for supporting programs in the library. She commented that construction monies are not difficult to find, but operating monies for programs "are a little trickier."

Councilor Ortiz moved for approval. Councilor Lopez seconded the motion, which passed on the following Roll Call vote:

For: Councilor Coss; Councilor Heldmeyer; Councilor Lopez; Councilor Ortiz; Councilor Pfeffer; Councilor Wurzbarger; Councilor Bushee; Councilor Chavez.

Against: None.

CONSIDERATION OF RESOLUTION NO. 2003-95.

(Councilor Lopez and Councilor Ortiz)

A Resolution Creating a Blue Ribbon City Employee Committee for Operational Budget for Santa Fe Community Library.

Councilor Lopez stated that, in order to find operating funds for the Community Library, it will take City employees and union representatives, working together, to look at creative possibilities for that — for instance, perhaps utility costs could be lowered by 5% to go toward paying utility expenses at the new library.

Councilor Lopez moved for approval. Councilor Ortiz seconded the motion.

Councilor Heldmeyer commented that revenues may remain flat over the next couple of years, and she hoped that everybody in City government would be looking for potential savings. She wondered if this committee would designate any potential savings to go to the library, or would they identify specific savings for that.

Councilor Lopez pointed out that the City Manager will appoint the committee, which would come back and advise the City Manager, who then would have to look at the overall needs of City government and determine what kinds of cost saving measures seem to make sense to apply to this project. She said she would leave it to the City Manager to make recommendations on that.

Councilor Heldmeyer asked City Manager Jim Romero how close the City is to having a new director of libraries, since she thought that person would be crucial to this process.

Mr. Romero responded that he thought it would be another 30 to 60 days.

Councilor Chavez asked Mr. Romero if the City employees involved in this process would be performing this work during their normal working hours.

Mr. Romero responded that he would like to read the resolution and then determine strategy and timeframe, which would include interim status reports to the Governing Body on potential funding sources and/or savings.

Councilor Chavez said he would assume this is not the only fact-finding or grant-seeking mission that staff has already been assigned to do. He commented that staff time and City money are always competing for more projects than the City can fund. He said he hoped this wouldn't compete with other needs that may be out there for other grant money the City depends on for programs and services.

Mr. Romero responded that this would not be the intent. He noted that the resolution calls for the use of creativity and innovation in seeking funding sources for the operation of the library.

Councilor Bushee expressed concern about the singling out of La Farge Library on page 1, line 20:

Whereas, an operating assumption of this committee is that the La Farge Library must be kept open;

She said she assumed other library facilities would be kept open too, e.g., the downtown library.

Councilor Lopez offered the following amendment:

Whereas, an operating assumption of this committee is that the La Farge Library and others must be kept open;

Councilor Pfeffer noted Councilor Lopez' remarks that a slight reduction in utility costs could free up monies for the new library. He recalled discussion a

while back between Covington Consulting (Margo Covington) and the City, which would look at the City's overall operations with respect to utility costs and offer suggestions for realizing substantial savings throughout City buildings. He asked that staff follow up on that and key it into this issue.

Councilor Lopez restated her amendment, following a request from Councilor Heldmeyer, to read:

Whereas, an operating assumption of this committee is that the La Farge Library and the Main Library must be kept open;

The resolution, as amended, was adopted on the following Roll Call vote:

For: Councilor Heldmeyer; Councilor Lopez; Councilor Ortiz; Councilor Pfeffer; Councilor Wurzbarger; Councilor Bushee; Councilor Chavez; Councilor Coss.

Against: None.

MATTERS FROM THE CITY MANAGER

None.

MATTERS FROM THE CITY ATTORNEY

Distribution of Final Report — Utility Demand Analysis; Public Utilities Subcommittee. (Councilor Ortiz.)

Councilor Ortiz, a member of the Public Utilities Subcommittee with Councilor Heldmeyer and Councilor Wurzbarger, called attention to the preliminary summary of the City's annual water demand, including current customers and the anticipated increase associated with commitments made to serve future customers. He thanked staff for their "Herculean efforts."

[Report submitted herewith as Exhibit "A" to these minutes.]

In the course of reviewing the figures, Councilor Ortiz stated that the range of estimated existing demand plus potential commitments for water service ranges from 13,500 acre-feet per year to 18,000 acre-feet per year, based on low range and high range calculations. He stated that water service commitments were winnowed down to six categories: 1) existing, 2) buffer, 3) future demand (under construction), 4) special contracts, 5) future demand (not under construction), and 6) proposed developments (not estimated).

Councilor Ortiz commented that category 6 — future customers who have either gone through the land development approval process or have not, but have not yet come to the City asking for utility service. He commented that this number is “the great unknown — and also the category where we think there is the greatest possibility for putting strict control measures on.”

Councilor Ortiz emphasized that there could be particular developments in which the development itself could fall within one or more of the categories, i.e., a development already has houses built and customers to the water system that fall within category 1, but the developer may also have the next phase of the project under construction and has a water service agreement, and so would fall within category 3, and then the developer might have another phase that would fall into category 5. He said the list and corresponding numbers in the report represent the best attempt possible in addressing those particular projects.

Mayor Delgado asked if any of the agreements in category 5 have a so-called sunset clause.

Assistant City Attorney responded that there were very few.

Mayor Delgado recommended that the City look into including sunset clauses in future contracts.

Councilor Wurzbarger commented on the important work the Council faces in addressing gaps that will become increasingly apparent in the next few years before the San Juan-Chama diversion project comes on line. She said there would be some very difficult work in developing policy options to be responsive to this.

Councilor Pfeffer noted the summary for category 6, which states that this category “is inclusive of developments with no Water Service Agreement regardless of their level of land use approval.” He asked if this implies that there is a category of developments that have received land use approval through the Planning Commission, for instance, without any promise of water.

Councilor Lopez cited Las Soleras as one such example.

Mr. Harwood responded, “I think the clearest way to answer that question is to say that there is no current linkage between the land use development process and when that same development gets a Water Service Agreement from the utility. So you have developments that are all the way from a twinkle in someone’s eye through some fairly advanced level of land use development approval, and there is no required linkage between that flow of reviews and when the development gets its Water Service Agreement.”

Councilor Heldmeyer noted that one category, not included on the list, consists of developments and individual builders who received building permits

after the cutoff of September 11, 2002, at which point retrofits are required. She said they are not included because the assumption was they would be offsetting their use, although there is no proof of that at this point.

Councilor Heldmeyer also pointed out that the six categories could be roughly divided into half in the city, and half in the county. She commented that she thought the City was “particularly foolish” in handing out Water Service Agreements for developments that may contribute almost nothing financially to the City.

Councilor Heldmeyer also stated that none of these numbers on the list is written in stone; and in fact, each is an individual case with its own set of facts and circumstances. She commented that the next task would be to look at each item on the list and then develop policy that would go along with the list of potential customers.

Councilor Coss asked how many contracts and/or individual agreements exist in categories 4 and 5, and Mr. Harwood responded that category 4 includes four, as listed in the report (Las Campanas, Santa Fe County, Thornburg development and Summit), and there are about 35 in category 5.

Councilor Chavez asked staff to produce a map that would connect all of the areas in the report to a physical location. He said the Council would then know how many are in the city and in the county, the number of acres, number of units, and category of development such as PUD.

Councilor Chavez said this begs the question, “Where is that water budget? We really need to think about balancing growth with whatever water we may have or not have in that water account.”

Mayor Delgado commented that the map suggested by Councilor Chavez would be very useful in discussing the wheeling agreement with the County.

Councilor Pfeffer asked Mr. Harwood if he understood correctly that categories 3, 4 and 5 were subject to the retrofit portions of the water budget ordinance, and Mr. Harwood replied, “Conceivably.” Councilor Ortiz added that category 4 was not included, as those are special contracts, and Mr. Harwood pointed out, for example, that Thornburg fits in the special contracts category because they were an intervener in the PRC proceeding where the City bought the water system, and have agreed to abide by some kind of offset requirement. He reiterated the point raised earlier that each contract has to be looked at individually.

Mr. Harwood stated that anyone pulling building permits after 9/11/02 must comply with the retrofit requirement, regardless; however, some of the special contracts may or may not have to comply because of the nature of the agreement with them.

Councilor Chavez asked the City Manager to direct staff to share, “when appropriate and applicable, any and all of this information with the Public Works Committee.”

Councilor Wurzbarger, responding, said she thought the City should exercise legal cautions before bringing that information forward. She added that, having worked on this list for seven or eight months, she was unable to tell Councilor Chavez “which projects are where” with the exception of category 4, which has been discussed frequently in public.

Councilor Chavez replied, “That’s why I said ‘when it’s appropriate and applicable.’ And I hope this is open government, not government behind closed doors.”

MATTERS FROM THE CITY CLERK

City Clerk Yolanda Vigil stated that she has candidate packets available for Municipal Judge and Councilor in each district. She said nominating petitions are due December 1.

RECESS: 5:50 p.m.

EVENING SESSION

The Evening Session of the City Council Meeting was called to order at approximately 7:00 p.m. in City Hall Council Chambers. Following the Pledge of Allegiance and Invocation, Roll Call indicated the presence of a quorum:

Members Present:

Mayor Larry A. Delgado
Councilor Carol Robertson Lopez, Mayor *Pro Tem*
Councilor Patti J. Bushee
Councilor Miguel M. Chavez
Councilor David Coss
Councilor Karen Heldmeyer
Councilor Matthew E. Ortiz
Councilor David Pfeffer
Councilor Rebecca Wurzbarger

Members Excused:

None.

PETITIONS FROM THE FLOOR

Gloria Mendoza

Ms. Mendoza said she had a number of issues to bring up, having not been before the Council in a long time:

1. "The rate increases that you've put on the people of Santa Fe. Have you forgotten that people are struggling in this town? You've raised the water rates, you've raised refuse and sewer, and now Councilor Ortiz has mentioned that he'd like to talk about raising property taxes.... I want you to think twice about raising property taxes because I will personally go out there and oppose property tax hikes for any reason at all, even if it means for water."

2. "I think you should still be at the second stage on your water. I thought you should have been like that all summer. I think the real reason for you letting people stay at the third stage in watering was so that people could pay surcharges and you could make more water for the water company and for your little water thing, where you want to get us water."

3. "The other thing is the money that you're spending on your traffic calming and on your little European circles. Those circles are a menace to society. People hate them and I don't know why you continue to put them in.... We're not a European city, we don't want to be a European city, and if you want European go to Europe."

4. "About your deal with Las Campanas. The paper said you both won, but I think you lost, because we're still giving them water for 24 years. If they can have water for 24 years, I say let's appropriate some water to water the grass in the Plaza area."

5. "I don't think you have any business giving Burro Alley to a restaurant so they can put tables out there. Again, European ambiance. If they want Europe, let 'em go to Europe. That Burro Alley should have stayed the way it was. There was no reason to put up tables so people could sit and drink and party."

Carole Anton

Ms. Anton posed the following three questions:

1. What are the job description and/or list of duties of the City Attorney?
2. Who is the City Attorney's client?
3. Is there a blanket or corporate surety bond for City police officers?

Mayor Delgado asked Ms. Anton to stop by the City Manager's office in the morning, who would be happy to give her that information.

Ms. Anton responded that she has already put in "several requests" to the City Clerk's office, and they have not been able to provide her with that information.

City Clerk Yolanda Vigil indicated that her office has received these requests from Ms. Anton and they have been responded to.

Ms. Anton stated that she was told that the City Attorney doesn't have a job description, so she wanted the Governing Body to tell her what it was.

Mayor Delgado recommended that Ms. Anton meet with the City Manager and City Clerk.

Ms. Anton said she has met with these people already and they have not provided her with the information she requested.

Mayor Delgado said he would meet with the City Manager and find out why that has occurred.

Ms. Anton said, "Okay, then I can get all of this in writing and I'm supposed to meet with the City Manager or the City Clerk?"

Mayor Delgado responded that she should meet with the City Manager. He said, "Whenever you come in, he'll be in his office."

Ray Herrera

Mr. Herrera, residing at 379 Hillside Avenue, said he has been representing his neighborhood and the Eastside for the past 25 years or so. He said he recently surveyed the Tierra Contenta/Airport Road/Agua Fria area, and was shocked by what he saw.

Mr. Herrera commented that he used to be on the Tierra Contenta board, and the goal was to have affordable housing there: "That's a bunch of BS." He also remarked on the "very sloppy infrastructure at Tierra Contenta. It's like the developers on the Eastside giving the arroyos as open space — places where people cannot really do anything. And in the areas around Tierra Contenta, the arroyos are full of mattresses and garbage. The people down there don't have the time to be here. So I think I'm going to take it upon myself to start representing the people from that area."

Mr. Herrera said he realized that he had been living in a "dream," helping people on the Eastside when the people who need the help are on the other side of town.

APPOINTMENTS

None.

PUBLIC HEARINGS

Consideration of Plaza Landscape and Stage Improvements. The Public is Invited to View Proposed Changes to the Plaza and Drawings of the Plaza Community Stage (Gazebo). The Architect for the Plaza Community Stage and City Staff will be Available to Answer Questions and Provide Information from 3:00 p.m. to 4:00 p.m. and in Between the Afternoon and Evening Sessions.)

City IPM director Fabian Chavez reviewed the proposed landscape renovations to the Plaza based on drawings distributed to the Governing Body, which were also enlarged and on display before the audience in Council Chambers and watching the proceedings on television.

Mr. Chavez stated that historical components would remain, such as the radial pattern, shade trees, water, turf, a place for people to gather, and a place for people to sit. He noted that all eight quadrants in the Plaza would have turf, four of which (2, 3, 6 and 7) would be raised in a planter box, i.e., an 18-inch-high

wall on the inside of these with a sandstone cap, very similar to the height and style of the cap around the obelisk, which would provide additional seating — four times that presently on the Plaza.

Mr. Chavez said the benches around the perimeter of the Plaza would remain there. He stated that the radials would remain, but the big change would be that the current radials would be about 10 feet wide, and on each side of the walkways would be a continuation of the brick ten feet back toward the quadrants in each direction. He said this would provide for standard booth space during large Plaza gatherings.

Mr. Chavez said the other non-raised beds would have the sod replaced at ground level.

Mr. Chavez discussed the list of suggested plant materials, which at maturity could be kept at 40" to 48", preserving the open view across the Plaza.

Mr. Chavez said two of the proposed ground-level quadrants would have the recommended subsurface grate installed in an experiment to determine if the City can maintain the turf and subsurface soil composition to reduce compaction problems and keep the turf alive.

Mr. Chavez said grates to protect the trees and provide for percolation of water and air would surround all of the Plaza trees. He stressed that some of the large trees (American and Siberian elms) are in decline, but there is no proposal to remove any of them at this point because they do not pose an imminent hazard. He said the trees would slowly be replaced over the years as the need arises.

Mr. Chavez called attention to a rendering of an effort last week to place the 55 Plaza trees in their exact position on the Plaza. He said about six will be replaced because either the trees have been severely damaged by vandalism and/or neglect, or because they are not in keeping with the Plaza restoration plan and John Gaw Meem's plan for defining the radial pattern of the Plaza — i.e., they are out of position, not in line, or are too close to another tree.

Mr. Chavez said many benches on the interior of the Plaza fronting the radials with the raised beds are being removed because they become redundant or else are damaged.

Mr. Chavez reviewed electrical upgrades and placement of a small panel to serve the gazebo, plus keeping the existing panel for the rest of the Plaza.

City Engineering director Robert Romero presented an original design of the gazebo, which he said has not changed with the exception of a removable railing. He said staff contacted several manufacturers regarding a stage design, and presented a drawing of a stage could be built directly over the gazebo. He said

the stage, 40 feet by 40 feet, would be 42 to 48 inches high and would be temporary, going in for needed events. He stated that a tarp could be placed over the gazebo and stage. He said the stage would cost about \$60,000 and the tarp or cover would be \$30,000.

Architect and gazebo designer Beverley Spears reviewed drawings of the gazebo plan. *[See information packet distributed by Ms. Spears, submitted as Exhibit "B" to these minutes.]*

Ms. Spears said the stage, which is oval and 24' by 38', is the largest permanent structure she thought could be built on the historic Santa Fe Plaza that would be acceptable. She said this would be the largest gazebo ever situated on the Plaza.

Ms. Spears stated that the floor originally was designed with Trex, recycled plastic boards; but in talking with dance groups, she learned they were concerned about the gap required between the boards by the manufacturer. She said the floor would instead be hardwood, which is almost as durable as Trex.

Ms. Spears said the ceiling would be perforated metal, 39% of which will be open, with acoustical insulation above it.

The floor was opened to public comment.

Stuart Ashman

Cultural Affairs Secretary Stuart Ashman stated that his department oversees the Historic Preservation Division and the State's Historic Preservation Officer (SHPO). He said SHPO has the responsibility for ensuring compliance for the State's historic sites and cultural properties, which includes the Santa Fe Plaza.

Secretary Ashman said, "*Somos todos Santafesinos*, and we want to see that the people of this community are served with the best possible results. The Santa Fe Plaza has changed many times and in many different ways in the last 150 years, but several things have remained the same and given it its historical importance. One such characteristic is the canopy of trees.... which provide shade and a place where people want to gather. That's another characteristic that has remained in place: the Plaza is a gathering place. Finally, it is an open space, and though Santa Fe is not a typical cluttered urban environment, the open space in the heart in the city provides a metaphor for the open hearts of our people."

Secretary Ashman stated that SHPO has reviewed and approved the plan for the multi-use gazebo stage, "and feels it is in keeping with the Plaza's traditional use, and maintains the three requirements that I mentioned earlier.

“The review for the landscaping changes to the Plaza has not been completed, as the final plan was only officially presented to staff at yesterday’s meeting. We understand the City’s desire to move forward with the implementation of the plan quickly so that people can begin to enjoy the restored Plaza by May of next year. I would like to emphasize the importance of HPD’s review and approval as a service to the people of our city and for future generations....

“The City Council and you, Mayor Delgado, have a big responsibility here. You have constituents that would like to create a large-scale stage for performances. Though many *Santafesinos* and visitors alike enjoy the performances on the Plaza, the traditional use of the Plaza is not as a performing arts center. The proposed temporary enlargement is a good solution that addresses the pressing need, however, for the community’s creativity. Therefore, the Historic Preservation Office recommends that the City move forward with the plan that was previously approved with the accommodation that was just demonstrated by your staff. The landscaping plan approval or changes will be delivered to City Hall by the end of this month, and I’m confident that HPD staff along with the City staff will put forth a plan that will please the citizens of Santa Fe and comply with all the requirements.”

Mayor Delgado asked Secretary Ashman if the State has jurisdiction over temporary structures. He said he was referring specifically to temporary enlargement of the gazebo design approved by the State during Fiestas, Indian Market and other events when bigger space is needed. He said the temporary structure would be taken down after the events.

Secretary Ashman responded, “If it is temporary and removed after each performance, we have no purview over that. Obviously if the platform was put there and left there for six months, the SHPO police would come around and say you’re in violation. But if the intent is really to approve the permanent stage as approved, and then to use on a per-event basis, I don’t think there is going to be a problem.”

Mayor Delgado commented that he was glad to hear that the Plaza improvement plans would be reviewed and brought back to the City in 30 days. He said that was critical because of the very short construction period involved.

Karen Walker

Ms. Walker, vice president of the Old Santa Fe Association, stated that the temporary stage that would go over the gazebo would not work because of the eight vertical metal supports, “so the dancers will be bonging their heads all the time.” She suggested that the gazebo be placed on the north side of the Plaza, and on the west side there could be a 40 x 40 temporary stage that the dance group wants which could be removed after the two or three events involved.

Linda Hibbs

Ms. Hibbs said tonight's proposal needed some "seasoning," and asked for a three-dimensional model of the plans so people could really envision the renovations being planned.

Ms. Hibbs said the Taos Plaza also has raised elevations, and the appearance is unfortunate. She expressed concern that the view to the Palace of the Governors will be obstructed. She said she hoped one day to see the obelisk removed and the gazebo placed in the center, "where it belongs."

Leo Sanchez

Mr. Sanchez agreed that the Plaza "needs fixing," but added that the gazebo "is way too small" because of the ADA ramp. He said he would prefer to see the gazebo, which has a beautiful design, in Cathedral Park or elsewhere. He said the widening of the walkways would remove "90% of the old growth trees there." He said the trees are the "bones of the garden."

Miguel Castillo

Mr. Castillo, 106 Malaga Road, said the gazebo design "will not work" because the steel poles will obstruct dancers on the stage. He asked the Council to go ahead and build the gazebo and put it on the west side of the Plaza, which was where there was a gazebo in the 1960s, "and leave us this little bit of turf for a performance space."

Ben Baca

Mr. Baca, 3220 Louraine Circle, representing La Sociedad Colonial Española de Santa Fe, an organization formed in 1948 to preserve the traditional *bailes*, *cuentos*, *dichos* and other cultural traditions, and pass them on to the next generations.

Mr. Baca stated that his group became concerned about the proposed size of the gazebo during the recent Fiestas, because the 27' x 21' size "would be totally inadequate for the 53 members that we presently have." He said the performance stage during the 2003 Fiesta was 40' by 32' and was ample for the dancers. He stressed that the performers are senior citizens and safety is paramount for them.

Mr. Baca asked for a stage that is removable and expandable; while they do not object to the gazebo, they feel it should be located in a different place to be determined by the Mayor and Council.

Gloria Mendoza

Ms. Mendoza said she “passionately believes” that the Plaza should not be changed; because if it is, “everybody who was born and raised here is going to say that you sold out Santa Fe.” She commented that the landscaping plan is beautiful but unrealistic because young people would be skateboarding and playing hacky-sack on the flagstone and “putting out their marijuana cigarettes in the planters.” She said she saw no reason why the City couldn’t appropriate water for the Plaza given the recent agreement forged with Las Campanas.

Ms. Mendoza pointed out that the Plaza will end up “looking like a mall.”

Dick Hogle

Mr. Hogle, owner of Hogle’s Theatrical Supplies and Production Services, said he has been dealing with stages for 25 years. He said he had two proposals, the first being that the City purchase a stage and a roof and hire a professional group to put it up and take it down. He said he could put a stage up in two hours with four men and take it down in 90 minutes.

Mr. Hogle said a second idea is a portable truck stage, which opens out into a stage and has its own roof, which is all hydraulic and involves one person. He stated that he could purchase one at “half the price you’d pay on a self-climbing roof and a 40 by 30 stage.” He offered to contract with the City.

Tom Knoblauch

Mr. Knoblach said he has studied technical theater and has spent many years working in technical theater and currently works for Omega Institute in New York State. He described an extensive background of festival and theatrical work, saying that he has put on hundreds of shows and has worked for perhaps a thousand.

Mr. Knoblach warned that the gazebo would not work for performance. He said he has never seen a stage with posts in the middle of it; and the proposed 16-foot extension in front of what would be the proscenium would extend into the area by the obelisk, leaving about 22 feet of audience feet between the front of the stage and the obelisk wall. He commented that the temporary stage proposal “is interesting, but I’ve never seen one.” He asked if a crane would be necessary to install it, however. He said, “Have any of you investigated what a crane costs? It costs thousands of dollars a day.” He also warned that the acoustics would be “horrible,” and an acoustic engineer said to him today “nobody, no performer will want to be on the stage... The absorption is not enough.”

Seth Roffman

Mr. Roffman said he is director of Southwest Learning Centers, a nonprofit in Santa Fe, and also produces concerts and events. He said he has organized performances on the Plaza and also was involved in coordinating the first few years of Community Day.

Mr. Roffman stated that the Plaza is not a performing arts center, but obviously Santa Fe is a cultural Mecca and needs to have the flexibility of different groups, be it dance groups or musical groups. He stated that the gazebo design is very nice, but needs some fine-tuning.

Mr. Roffman said that, when he presented the Community Day performances, he moved the stage back toward Palace Avenue; and since that's not being used for traffic right now, he would be interested in knowing what it would take to do that.

Mr. Roffman expressed concern that the addition of the platform in front of the gazebo will cut out a large portion of the audience, because there is a very limited amount of space between the obelisk and the stage for the audience.

Sally Ventres

Ms. Ventres stated that she was in a Martha Graham dance troupe when she was younger, and pointed out that most troupes do not mount the entire troupe on the stage at one time. She said there are many ways of alternating the dancers.

Ms. Ventres said she understood that, at one time in history, there were as many as 60 wagons around the Plaza with all of the attendant mules, oxen, etc. She stated, "Let's not make it a mall, as somebody said. I would prefer to see it flat, level as it is, and forget the grass. I mean, in that sense, we are a child of Mexico. That's the way they are in Mexico, and they're lovely, and people use them."

Philip Crump

Mr. Crump, president of Old Santa Fe Association and married to Beverley Spears, said he was speaking as a citizen and community member.

Mr. Crump asked the Council to consider the express needs of the community but also honor the organizations that use the stage and performance space and make significant contributions to the cultural and social life of Santa Fe. He urged flexibility in meeting those needs, "and that a permanent structure not necessarily be a one-size-fits-all, that a permanent structure not be a structure large enough to accommodate the largest event that we could imagine. There

have been a couple of proposals already for an additional alternate stage to adequately accommodate the needs, but in looking at the list of uses, consider that they have occupied seven months out of the year. The largest uses occupy two months out of the year. Think about what our Plaza is going to look like for the rest of the year, or in the winter, with an immense structure.”

Mr. Crump pointed out that the gazebo has been funded through private contributions, not City money.

Ed Berry

Mr. Berry submitted two letters in support of the gazebo design by Beverley Spears, one from Dr. Fran Levine, director of the Palace of the Governors, and the second from Pat Kuhloff, president of Los Compadres del Palacio (Friends of the Palace), a support group for the Palace of the Governors Museum of New Mexico Foundation. *[Submitted as Exhibits “B.1” and “B.2” respectively.]*

Mr. Berry pointed out that the stage currently on the Plaza is not accessible to people in wheelchairs, whereas the gazebo has an ADA ramp. He said he donated all of the Christmas lights and mechanicals to the Plaza some years ago for children to enjoy, and with the gazebo this will be possible for all children, including those in wheelchairs.

Art Gurule

Mr. Gurule, a board member of the Santa Fe Fiesta Council, and speaking on behalf of its board of directors, stated that they need a minimum of 1,280 square feet for their performers during the Fiesta activities. He said the gazebo is too small for that. He said the Fiesta board voted against the design, and would like to see a bigger stage to accommodate the performers; otherwise, they will have to construct a larger stage on the Plaza.

Penny Aley

Ms. Aley said, “I just want the Plaza to be alive again. You have all the performers there who love to perform. Just build their space according to what they need.” She said she thought the gazebo and Plaza design were beautiful, but stressed “function over form” for the performers.

Karen Gaila

Ms. Gaila, program coordinator for SWAIA/Santa Fe Indian Market, said, “Prior to the public’s input, we started off the conversation about serving the community of Santa Fe. If that’s so, then let’s think about the nonprofits that serve the people of Santa Fe. Indian Market, Spanish Market, United Way (Pancake Breakfast), and Girls, Inc. Not all special events have the same needs.

We are in favor of an expandable and removable stage. We're not in favor of the permanent gazebo or a permanent stage.

"Also my concerns are not only the Plaza construction, but we're also talking about the street construction. Raised speed tables, curb extensions — and then I get a call yesterday regarding the Sweeney construction. Is the City of Santa Fe really prepared for a three-ring circus? Because we're not.

"Don't fix something that's not broken."

Bryan Drypolcher

Mr. Drypolcher, residing at 1204 San Jose Avenue, expressed concern about the raised beds being proposed because they could be an impediment to some of the uses on the Plaza. He said maximum flexibility is very important for this kind of public square and gathering place.

David McQuarie

Mr. McQuarie, chairman of the Mayor's Committee on Concerns of People With Disabilities, said he was also speaking for Hope Reed of the Governor's Committee. He spoke in favor of the gazebo design because of its accessibility for the disabled. Mr. McQuarie said he is a graduate in agronomy, which is soils and plant materials, and pointed out that the landscaping proposal includes raised beds in order to maintain some sort of ground cover greenery and turf. He stated that foot traffic is the number one enemy of turf, and pointed out that raising the beds will give the greenery a chance to survive.

Brenda Kay

Ms. Kay, a native Santa Fean, said she was "tired of watching this City turn this town into an unwelcome prison with the fall ritual of erecting fences to keep people off the grass. It's a terrible way to promote a sense of community."

Ms. Kay suggested the following solutions to making the Plaza more friendly to tourists and locals: 1) get rid of the grass and install flagstone; 2) add concrete picnic benches and tables; and 3) add bushes and trees to make it more beautiful.

Gregory Heltman

Mr. Heltman, 1008 Velarde Road, spoke on behalf of the plans and amendments proposed by staff for the gazebo. He stated that, based on his experience with the Santa Fe Community Concert Band, which goes back to the 1860s, a gazebo on the Plaza was the venue for weekly concerts going back to the 1890s. He said, "This is a historical accoutrement that needs to be rebuilt with the flexibility and the variability that we've talked about tonight."

Eric Lujan

Mr. Lujan, residing at 428 Camino Alire, urged the Council to consider all of the options before it this evening, and make a balanced decision for the citizens. He said the Plaza is the heart and soul of the city.

George McLaughlin

Mr. McLaughlin stated that he is a five-year resident residing at 320 Kearney Avenue. He said, "We must have a beautiful Plaza in Santa Fe...I feel equally strongly that grass sod should not be a part of this Plaza for two principal reasons. One is that we've tried it and it hasn't worked. One reason the Plaza looks so shabby is that most of the grass from the most recent sodding has died out, leaving brown mud or brown dirt. How many times over the last decade have we fenced off new-sodded areas, watered them profusely in the hope that they will take root, and then as soon as the fencing is removed and the people are walking on the grass the die-out begins again? It doesn't make any sense. We can have a beautiful Plaza without grass."

On a second point, Mr. McLaughlin said having grass on the Plaza "sends the very wrong signal to the city. The Council for at least the last two years has imposed restrictions on everyone else, saying that they may not lay new sod; and in making an exception to your own rule, even for the Plaza, sends a very bad signal. To me the water problem is deadly serious." He expressed concern that one exception would lead to another, and people would make exceptions for their own uses depending on what they considered important to them.

Jeff Sussman

Mr. Sussman, 629 Alicia Street, said he worked several years with Santa Fe Summerscene and is now a board member of the reconstituted Santa Fe Summer Bandstand. He said they produce more concerts each summer than any other group, so has done sound for at least 70 shows on the Plaza over the past few years. Mr. Sussman said, "Our concern at Summer Bandstand is that we not replace the stage with something else. We're happy to have a new stage if the Council decides that is a priority for the city, but we want to preserve the attributes of the existing stage. We acknowledge it's not an architectural wonder, but it is very, very flexible, it can be completely removed...." He stated that the existing plans reflect an attempt to make the gazebo into a stage, but he was not convinced that they would work as a single unit.

Mr. Sussman observed that there are two big posts in the front of the stage as well as on every side, "so if you decide to go with this drawing in its present form, you'd be replacing a stage that's very visible with a stage that has two posts right in the front of it." He said Ms. Spears has indicated that it is structurally possible to remove them, but she was concerned that removing two of the posts would not

be consistent with historical gazebo designs in New Mexico. He commented that this would be “a gazebo trying to act as a stage when it needs to be.”

Mr. Sussman stated that the Council should decide whether there should be a gazebo, “which is sort of for people hanging out and talking to each other,” or a stage, and whether that can be done with one structure or two structures.

Mr. Sussman pointed out, “In good design, form follows function. So the first question is: what exactly are we building here?”

Ray Herrera

Mr. Herrera, 379 Hillside Avenue, said he found the appearance of the Plaza embarrassing last summer. He said the Council has a tough decision to make, and he hoped it would be in the best interests of the people who would benefit from it.

Pen LaFarge

Mr. LaFarge, 647 Old Santa Fe Trail, said the Council has to decide whether it wants “a stage of some sort that is all things to all people, or a gazebo.” He stated that, if the Council wants the former, then it has to be the kind of temporary stage that the Plaza has now. He commented, “By doing this, you are giving any one performance, any one set of performers, a veto over anything else. In other words, everybody not only gets to micromanage, everybody gets a veto. In historical terms, the country of Poland disappeared in the 18th century because its parliament had a rule called the librium veto, which meant that anybody in the parliament, any one person, could veto any action.... and you are giving, I believe, one vote, a veto here, if you want this stage to be all things to all people. If you don’t want this, and you want to put up the nicest structure, the best structure, the most elegant, the one that will make the Plaza more handsome to behold, then you will want to put up the gazebo.... ”

Steven Smaltz

Mr. Smaltz, 1716 Montañño, stated that a portable temporary stage “renders the handicap ramp inoperable for moving equipment and so forth up to the stage.” He said the smaller temporary risers are very dangerous. He said he liked the idea of trucking in a stage as offered by Mr. Hogle, who spoke earlier. He suggested that the gazebo be put somewhere else.

Billie Blair

Ms. Blair, president of the Santa Fe Community Foundation, stated that the Foundation identifies needs in Santa Fe and tries to meet them; and also connects donors with causes they care about. She said, “It is not our wish to force anything on the community.... It appears that the solution City staff has

come up with would meet the needs of both having a permanent stage on the Plaza and meet the needs of larger groups that might need that stage three or four times a year.”

Ms. Blair said one of the things important to know about this fundraising effort is when people came to the Foundation with the idea of starting the fund, they were responding to a 2001 Chamber of Commerce survey of downtown businesses. She said the businesses identified three major problems in the downtown which included parking and the Plaza, and specifically the stage.

Ms. Blair said there have been more than 150 donations to the stage, 80% of which have been at \$100 or less. She said donors have included schoolchildren. She commented that obviously this is something the community wants.

Ms. Blair stated that, if the design is changed, “we have made a misrepresentation to the donors and we will have to go back to them and we will not have the money for the stage.” She submitted several letters in support of the stage.

Laird Hansen

Mr. Hansen, board chairman of United Way, stated that United Way supports the plan to build the permanent stage on the Plaza. He said United Way’s July 4th Pancake Breakfast is one of the two largest annual Plaza events. He stated that staff and volunteers have been following the progress of the new stage and are excited about replacing the old temporary structure.

Mr. Hansen expressed support for constructing the stage as designed. He stated, “For those few times that a much larger stage is needed, a temporary stage can be erected.”

Edward “Gonzo” Gonzales

Mr. Gonzales, 219 Delgado, recalled his time on the City Council 25 years ago, when the City had just finished remodeling the Plaza. He said, “During that time, the advice we were given was to clean up the Plaza so that it was more visual to all the visitors, and that the stage, or the gazebo, what was left of it, was not a workable thing and it should be demolished and removed, and the new flat area to be installed as it is today.” He commented that the temporary stage may be ugly, but it is usable to everyone involved. He suggested the City look into the idea of bringing in a portable stage that would be immediately removed.

Mr. Gonzales commented, “The gazebo is a beautiful idea, but what I think what’s happened now is, to try to accommodate us all, we’ve already started to expand it to the size that doesn’t fit for small events and it’s not big enough for the big events.”

Deborah Potter

Ms. Potter said she grew up in the theater; her mother was an actress who won an Academy Award, and her aunt won two. She stated that she used to go backstage with her mother “on summer tours, summer stock, theater in the oval, theater in the round, theaters with posts. I was on one of the boards of the Kennedy Center. President Clinton appointed me to that. I’ve seen performing arts groups all my life, but I have never seen the perfect stage.... and I have never, ever seen a professional performing group demand that the fundamental size of the stage be changed for them. Performers adjust. Performers are creative....and intelligent. Performers are wonderful people. Let’s give them credit for being creative and being the wonderful people they are.”

Ms. Potter said she raised a lot of money for this stage, but thought scrutinizing this stage “is a little like giving a gift horse root canal surgery.” She stated that people who donated money were willing to do “anything to get rid of that ugly stage on the Plaza...and they mostly wanted to see something beautiful in its place.”

Mel Flieg

Mr. Flieg, 111 Calle Palomita, pointed out that the Plaza once was a corral for livestock, then became a green space for the people. He said the City should keep it like that, with shade.

Mr. Flieg commented that the Council “opened a can of worms” when it asked the Parks Department to study the renovation of the Plaza, but he thought staff deserved a lot of credit for their efforts.

Alex Maryol

Mr. Maryol, a professional musician and performer who plays 200-300 shows a year on many different kinds of stages all over the country, stated that he was not against the gazebo, but questioned why it was a problem to have it on the west side of the Plaza.

Mr. Maryol said the gazebo is not a stage, as referred to by many speakers. He said, “It’s a gazebo. Don’t call it a stage, because it’s not.”

Rogue Garcia

Mr. Garcia commented that there is “nothing for the *raza* in the Plaza.” He said he favors the gazebo. He said he saw no problem with expanding for the large dance groups.

Minnie Gallegos

Ms. Gallegos asked the Council to approve the gazebo because the people need one, and agreed with speaker Edward Gonzales that a temporary stage can be brought in for the large performances and then removed. She said the park in the Plaza should remain level. She expressed concern about the removal of the old trees there, and urged the Council, "Let's not change any more than we have to."

Judge Patricio Serna

Judge Serna said he was speaking as a private citizen and member of the stage committee. He said he believed the proposed stage "not only meets ADA standards, but also it complements the rich history, tradition and culture of Santa Fe. I remain confident that accommodations can be made for the increased size and height when needed for the *Sociedad Colonial de Santa Fe*....the Fiestas, Indian Market and Spanish Market. This is for all of Santa Fe."

Joy Clausen

Ms. Clausen said she lives in the downtown historic district and has volunteered her time by working closely with the City in the rehabilitation of the historic bridge of the Hidalgos on Grant between Paseo de Peralta and Rosario. She said the bridge project was welcomed by the neighbors and it greatly improved the neighborhood. She said she again volunteered her time on the community stage, and strongly believed it would improve the downtown historic district, and supported moving forward with the project.

Jim Bagby

Mr. Bagby, speaking from the hospitality standpoint, said curb appeal is very important because "we're trying to sell the city of Santa Fe to people who come in and really love this area." He said the Plaza looks very sad, and stated that approving the gazebo and other improvements on the Plaza "will improve the value of our city."

Cody Potter

Mr. Potter, owner of Guadalupana Imports on Water Street, said he has traveled extensively throughout South America and Mexico and has seen many plazas. He said shrubbery is on many plazas, and would be a better idea than the permanent *bancos* being proposed. He said it would cut down on the foot traffic in the grassed areas. He stated that he also supported the gazebo and thought the existing temporary stage to be an eyesore.

Ronnie Layden

Mr. Layden said he is an artist and photographer and expressed concern about the appearance of “a metal tin building slapped up on some tin posts and not fitting in with the rest of the beam and lintel around the Plaza. It wouldn’t fit aesthetically.” He suggested that the two front posts could be removed if people thought that a problem, but thought the “skinny metal posts would make it look like a tin shed on our Plaza.”

John Whitsel

Mr. Whitsel said he is a performance artist and found it very difficult to perform on the Taos Plaza gazebo. He said his group ended up performing off the gazebo.

Mr. Whitsel said he liked the 1912 gazebo that was on the Santa Fe Plaza. He commented, “It’s cute, it’s small, it’s attractive, and it could be placed just about anywhere.” He pointed out that there is plenty of technology to support a flexible and portable stage that can be removed when necessary.

Mr. Whitsel expressed concern that the cover stage for the gazebo would not be ADA compliant.

Earl Potter

Mr. Potter said the status quo — keeping things as they are on the Plaza — is not legally acceptable. He pointed out that every speaker tonight has recognized that the gazebo is a beautiful addition to the city. Quoting from “In the Midst of Time,” he said, “The perfect is the enemy of the good.” He said, “If you go for the perfect, you will never achieve the good.”

Frank Montaña

Mr. Montaña said Santa Fe is on the verge of celebrating its 400th year as a community, and for many years the downtown Plaza “has been a complete disgrace. A horrible place, in my opinion, in terms of what it could be.”

Mr. Montaña said, “Do something. Don’t leave it the way it is now. For crying out loud, take out the grass. The grass is a maintenance nightmare. It looks like a football field that has been overused, and it’s a mess. Make us proud once again of the Plaza. And whether you build a permanent gazebo or you decide to bring in a brand-new temporary stage, at least make it look nice.”

Mr. Montaña warned the Council, “Don’t just postpone this for another year, which will turn into another year, and another year and another year after that. Do something. Set at least a deadline and say, okay, maybe we won’t make a

decision tonight, but a month from now or two months from now we're going to make a decision..."

[This concluded public comment.]

[There was a five-minute break.]

Addressing the idea of removing the two front columns from the gazebo, Councilor Chavez asked Ms. Spears to comment on the cost and whether the structural integrity of the permanent gazebo would be compromised.

Ms. Spears asked Councilor Chavez if he was talking about removing the columns permanently, or was he suggesting that they be constructed such that they could be removed for big stage performances and then put back, and Councilor Chavez responded either one.

Ms. Spears stated that there are many different kinds of gazebos, but nearly all of them are symmetrical and have eight columns.

Councilor Chavez said he was speaking to the idea of compromise — could they be removed and could people live with that.

Ms. Spears responded that she did not think the columns could be permanently removed because it would "destroy the look of it to the extent that... it would be better not to build it at all."

Councilor Chavez asked Ms. Spears to speak to temporary removal of the columns for the larger stage performances and what would that cost.

Ms. Spears responded that she did not know what it would cost, but added that things with moving parts "are always a lot more complicated than things that are fixed, and more expensive. And I worry about the life of the structure.... that having major parts like that come off and go back on is a maintenance issue; it's a complication.

"It could be done. It would require structurally redesigning the other six columns, which would have to be beefed up to compensate for the loss of the two columns twice a year when the stage would need to be made bigger. And the steel box beam that rings the roof structure would have to be beefed up. Right now it's eight inches deep. It would have to go to 12 to 14 inches deep. So the structure wouldn't be as light. It would start looking heavier."

Ms. Spears also noted that most of the columns have conduit inside of them, so that would have to be reengineered.

Ms. Spears questioned whether this would be the best thing to do with the gazebo for only two annual performances.

Councilor Chavez said this would seem to be better, in his mind, than having two performance locations that would clutter the Plaza.

Ms. Spears recalled someone mentioning that there were two stages on the Plaza at some point in time, and that they would alternate, and that this was a great advantage — they could be setting up on one stage while something was happening on the other stage.

Ms. Spears said the ideal solution might be to “have the gazebo, which is suitable for almost all of the events that happen on the Plaza, and for the two events that require the 40 by 40 stage, do that independently of the gazebo, and then Fiestas or Spanish Market could have the advantage of having both of those venues....”

Councilor Chavez asked City Manager Jim Romero where the second temporary structure would fit into the plan.

Mr. Romero responded that there was lengthy discussion about setting up a stage of some kind on the San Francisco Street side, but the problem is that San Francisco Street is much narrower than Palace Avenue, and a few food booths would be displaced.

Councilor Chavez commented that a lot of the food booths did not do much business during Fiestas this year, and many closed early.

Mr. Romero stated that the booths in question are there for other events including Indian Market.

Councilor Chavez said the City might have a little loss of revenue, and a few people might be left unhappy, “but no matter what we do, we’re not going to be able to make everyone happy. We’re all going to have to be willing to give up a little bit.”

Councilor Chavez suggested separating out the gazebo from the landscaping and other improvements on the Plaza. He said that, if the City doesn’t get to do the improvements on the landscaping and the electrical and lighting work, it will run out of time pretty soon.

Councilor Chavez moved to separate the two projects.

Councilor Heldmeyer seconded the motion for discussion.

Councilor Heldmeyer said she was not sure it would be necessary to have a separate motion on separating these. She said a motion to go ahead with one or the other would have the same effect.

Councilor Chavez said the motion would be, then, to move forward with the landscaping and other improvements before making a decision on the gazebo.

Councilor Heldmeyer said the motion could be the other way around, depending on “where the controversy’s going to be.”

Councilor Chavez withdrew his motion and moved to move forward on the landscaping and other electrical improvements and enhancements that are needed on the Plaza, and leave the other for later.

Councilor Wurzbarger seconded the motion for discussion, with the condition that the last part of the motion — “and leave the other for later” — be deleted.

Councilor Chavez agreed.

Asked by Councilor Bushee and Councilor Wurzbarger to discuss the improvements he was speaking to, Councilor Chavez said he was speaking to the improvements presented by staff.

Councilor Wurzbarger said, “At the Finance meeting.” Councilor Bushee added, “The flagstone.” Mayor Delgado said, “This is taking the gazebo and putting it aside for discussion.” Councilor Heldmeyer and Councilor Wurzbarger responded, “For a few minutes.”

Councilor Wurzbarger commented that the City seems to have constant problems with the grass, and she was worried about the idea that the problems would stop if the grass were elevated. She said she would like to hear discussion on that issue “as opposed to doing a, quote, beautiful Plaza that’s at one level and is all flagstone with a few plants here and there.”

Councilor Bushee pointed out that, if the “stage gazebo” were adequate for the Entrada and other Fiesta events facing the Palace of the Governors, and a stage could happen on the south end by San Francisco Street, and those two grass quadrants could be paved with flagstone, removing some of the sod issues, and a “temporary slash permanent nicer stage” could be put on that end, and along the gazebo the two quadrants of grass were removed and made into similar paved flagstone, “you would actually not lose room for vendors because you have areas now that would be paved for flagstone that weren’t grass that could be used for the vendors; you would have less grass; you would have two stages — or a stage and a gazebo — and then you would still have four quadrants of grass for people to sit on.”

Continuing, Councilor Bushee said her concern was that there are some big trees on the San Francisco side. She added, “Because if those were no longer grass patches but they were paved flagstone, or whatever you choose to do, and

you did it similarly up above on the Palace side, and a stage were erected down below, I want to know what trees are involved in terms of loss.”

Councilor Bushee said perhaps the grass patches on either side of the gazebo could be converted into “new leveled paving of some kind, whether it be brick, flagstone, whatever — and if you did a similar thing down below and then had a stage erected in that area, I think you would cut down the grass.... ”

Mr. Chavez identified the four big trees mentioned by Councilor Bushee as a large ash, an elm, a smaller ash, and a moderate size ash. He stated that the small and large ash trees could be moved to another area of the Plaza.

Councilor Bushee said she didn’t mind the flagstone raised beds, but asked Mr. Chavez if there were a way to keep the main four quadrants — “perhaps grass, and not perhaps put up those ugly fences every time, put up something a little better?”

Mr. Chavez responded that staff would highly recommend, wherever possible, the other quadrants remain in some turf because citizens have requested and SHPO has made it “very clear” that these are needed as a historic feature.

Councilor Bushee said that seems like a good compromise in terms of both reducing turf and giving several areas over for performance.

Councilor Coss commented that, in all of the public testimony tonight — whether it was for or against the gazebo — he didn’t hear anybody say they liked the raised beds. He said he was leaning towards “just flat grass.” He said the key thing, no matter what the City does with the Plaza, “is just maintenance and upkeep, if possible.”

Councilor Heldmeyer commented that everybody likes grass at the beginning of the season, and no one likes it at the end when it is no longer attractive. She said she liked the plan because it increases the flagstone, which decreases the grass, and there is a flat and wider place for vendors to set up. She stated that the one concern she had, however, was the idea of raised beds.

Councilor Heldmeyer said she understood two quadrants would be used to give the ground underneath the grass special treatment to see if that is enough to make the grass hold up. She wondered if this could be done for a year to two quadrants or four quadrants, and then the City could determine if that is sufficient to make the grass hold up.

Following up on what Councilor Bushee had been discussing, Councilor Heldmeyer said it wouldn’t be necessary to flagstone the entire quadrants. She stated that, if the City decides to create a second place for another stage, it could do with the bottom of the Plaza what it is doing with the top, which is make a wider place. She said the Plaza would still have quadrants with grass in them,

but they would be smaller quadrants like the ones above, and there would be a little more symmetry.

Councilor Heldmeyer asked Councilor Chavez if he would agree to a one-year experiment with the intent of soil preparation for at least half of the quadrants and not going to the raised beds for another year.

Councilor Chavez said he thought that fine. He said the raised beds could be brought in later if it is decided that the flat plane doesn't work.

Councilor Chavez explained, in response to Mayor Delgado, that staff is proposing that the four quadrants running east to west (which he identified as 7, 6, 3 and an unnumbered quadrant) would be raised. He said Councilor Heldmeyer is proposing that they be left flat for now and let staff experiment with the soil preparation to make the sod last a little longer.

Councilor Chavez said the City would eliminate the design with any raised beds in the Plaza. Councilor Heldmeyer said there would still be the wider walkways, so the amount of grass would be reduced.

Councilor Pfeffer recalled Councilor Heldmeyer's suggestion that, if the City were to go with a stage on the San Francisco Street side in order to allow the gazebo to be built on the Palace Avenue side, "the areas that are now quadrants four and five — the trees obviously would have to be removed or relocated — but I heard the suggestion made that we go with a wider area that would be similar to what's on the Palace Avenue side, which would accommodate the stage." He asked Councilor Heldmeyer why she hadn't made a motion to that effect, and Councilor Heldmeyer said she couldn't because of the motion to separate the gazebo and landscaping projects.

Councilor Pfeffer expressed concern about considering the landscaping plan and gazebo plan separately. He said approving the landscaping plan would hinder flexibility on what the Council could do with the gazebo/stage.

Councilor Wurzbarger withdrew her second, for the purpose of putting the two plans together.

The motion to consider the landscaping plan by itself then died for lack of a second.

Councilor Wurzbarger moved approval of the gazebo and the landscape plan as suggested by Councilor Chavez, with the understanding that a second stage adequate for the two events that cannot be accommodated by the gazebo will be accommodated on the San Francisco side or Palace side.

Councilor Lopez seconded the motion.

Councilor Heldmeyer restated her amendment to state that, for one year, rather than putting in the raised beds in the four quadrants that would have raised beds, the City would keep the same plan with the same widths of walkways, but would keep it flat, and half of the quadrants would get the special treatment of the ground to see if that could help the City nurse the grass through the season.

The amendment was accepted as friendly.

Councilor Heldmeyer stressed that all eight quadrants would have some grass in them, although less than they have now, and half of them would get the special soil treatment to see if this would allow the City to have flat grass all the time.

Councilor Bushee pointed out that, if the City is amending the soil for those quadrants to have grass, it should be done all at once.

Mr. Chavez said the soil amendment or treatment for all of the quadrants would essentially remain the same. He said the only difference was that the areas with the grass grates underneath would be treated a little bit differently — in other words, there would be some subsurface soil, then the grass grates, then the rest of the soil amendment.

Mr. Chavez stated, “If I can extrapolate, what that would mean is, if it worked, and the rest of the Plaza looked okay, then you’d just leave it alone. If the other four remaining quadrants started to deteriorate, what you would then have to do — and we’ll have to check the dimensions carefully — but the grass grate is very near the surface of the sod — so what you have to do is take the sod out in the rest of the quadrants, and enough of the soil amendment out to put the grass grates in. Then you’d put the soil amendment back in, then you’d put the sod back over the top.”

Councilor Bushee asked if there has been any consideration of reducing the sod both by Palace and by San Francisco and potentially replacing it with flagstone in order to consider a stage design. She pointed out that the City has another round of designing to do to incorporate a new stage and to find a stage to incorporate everyone’s needs, and that will require SHPO review.

Councilor Wurzbarger responded by pointing out that this would be a temporary stage, because what she clearly understood from all of the presentations was that a large stage would only be needed four to five days a year.

Councilor Wurzbarger asked staff to clarify how much flagstone would be needed to support such a temporary stage, and then they would have the authority to reflect that on the San Francisco side.

Mr. Chavez responded that no flagstone would be necessary. He said that a temporary stage would use some of the walkway. He said the photos show fire trucks parked on it with their extension arms supporting it. He stated that one possibility is that perhaps the turf could stay: "You wouldn't need the flagstone and we would only have to put some sort of support under the temporary stage. In other words, some flat structures to disperse the weight."

Responding to questioning from Councilor Wurzbarger, Parks & Recreation director Ron Shirley said the temporary stage being used by the City cost \$50,000 and was purchased six or seven years ago. He stated, "After a few years of up and down and up and down, we lose parts and it breaks down."

Councilor Wurzbarger stated, as part of her motion, that if there is an option of renting a stage, staff should look into that; and that it should be a fine stage, but not the \$100,000 stage that would be necessary to cover up the gazebo.

Councilor Ortiz stated that, as he understood it, the stage for the big events is needed on the Palace side. He asked if the gazebo could be flipped to the San Francisco side so the temporary stage could remain in its current location.

Robert Romero responded that SHPO has approved the gazebo at its current location, and would have to be consulted on such a change. He said the gazebo could fit on the San Francisco side.

Ms. Spears suggested that the Council consider that the gazebo would serve most of the performing needs of the City; and having that position in front of the Palace of the Governors "is important for the gazebo, and it has been endorsed by the director of the Palace of the Governors... That is, frankly, the prime location. It's where the gazebo has always been in the past." She said the gazebo was in the center of the Plaza for two years, and from 1868 to about 1970 it was on the north side in three different designs.

Councilor Ortiz asked for comment on an implicit remark he heard that the donors who paid for part of the construction of the gazebo "were sort of getting it as is... in the same location with the same kind of facility, with the implication that if there was somehow a change, that money would either dry up or the contributors would have to be re-approached."

Billie Blair said, "The representation [to the donors] was that it was that design in that location because that was the location that was endorsed by SHPO and by all the other historic design review processes, including the City's own Historic Design Review Board."

Councilor Ortiz asked Ms. Blair if the donors would object if the Council were to endorse the new concept under discussion — other words, was it the “primacy of location that’s an issue over the placement of the permanent gazebo?”

Ms. Blair replied, “I don’t think I could answer that without surveying 150 people.”

Councilor Ortiz remarked that he saw this issue as “a tempest in a teapot.” He pointed out that the Plaza has changed even in his lifetime. He said he was disappointed by the apparent lack of compromise that would accommodate the needs of the donors as well as what has traditionally been the site of large community celebrations.

Councilor Ortiz said he thought the Council should grant conceptual approval for the different design, even though there was a chance that the donors would pull out and SHPO would say no.

Mayor Delgado pointed out that the gazebo’s dimensions are 24’ x 38’, and of the 36 events held on the Plaza, ten do not need a stage, 18 need a 16’ x 24’, five need 24’ x 24’, and three — the Pancake Breakfast, Spanish Market, and Fiestas — need a 40 x 40. He questioned why the temporary stage for the three special events couldn’t be put up on Palace, which is the widest street around the Plaza. He said San Francisco Street is very narrow in comparison.

Councilor Pfeffer asked Mr. Shirley to comment on Mayor Delgado’s idea, since it would involve rerouting the Fiesta Parade, Pet Parade, etc. He said he understood a fire lane was necessary, too.

Mr. Shirley responded that he would assume a fire lane would be necessary. He said he thought the stage could be placed on Palace in such a way that the parade route could be accommodated.

Councilor Pfeffer noted that Palace Avenue is 40 feet wide; and if Fiestas needs a stage 40’ x 32’, and there is the gazebo and ten feet of sidewalk between the street and the front of the gazebo, “then we have 50 feet to play with. Even if you back the stage all the way up to the gazebo, and even if you put the 32’ dimension going that way, that will leave you 50 minus 32, which I think is 18 feet.”

Councilor Pfeffer asked Traffic director John Nitzel what the requirement is for a fire lane and Mr. Nitzel responded that the Fire Department “likes 20 feet.”

Councilor Pfeffer asked where the people would go, then, and where would the front of the stage face on Palace.

Mayor Delgado responded that it would face north, and Councilor Pfeffer said that would give 20 feet or so in order for people to be standing and watching the

proceedings, and there would be 20 feet or so for the parades to go by. He stated that this didn't seem sufficient.

Councilor Pfeffer continued that he would prefer to work with what staff has presented as an alternative for flexibility — to accept and build the gazebo, but have an interlocking stage that encompasses the gazebo with the only change being that the columns appearing in the middle of the stage and in front of the stage be removable.

Councilor Pfeffer stated that, if there were a stage on San Francisco Street, all of the food booths on San Francisco would be eliminated during Fiestas, because that street is much narrower. He questioned where the big tent for cooking the pancakes would go on July Fourth.

Councilor Pfeffer commented, "I think staff kind of looked at this stuff. When we charged them a couple of weeks ago to come up with some kind of a win-win situation, I want to hand it to them, because I was a big skeptic that there was any way that this gazebo was ever going to work and still allow Fiestas to be taking place on the Plaza the way it's been taking place, let alone Pancake Breakfast or Spanish Market."

Councilor Pfeffer said the alternative presented by staff will cost the City some money, but it would allow the people who worked on and contributed to the gazebo "to have what they want, and it would allow for the flexibility in the size. It would be a bit of a bear to operate. We'd have to pull it up, take it down, put it up, take it down, and so forth."

Councilor Pfeffer predicted that a temporary stage on San Francisco Street would end up becoming permanent and the City would end up with the same eyesore it has now because of staffing issues and so forth.

Councilor Pfeffer stated that he would vote against the motion on the floor and accept staff's recommendation with the amendment that the posts that get in the way of viewing and performing be removed.

Councilor Lopez said her biggest concern is that it has taken SHPO almost a year to approve the City's Plaza improvements. She commented, "It's really easy for us to redesign it and eliminate this, and put that in — but essentially when we're doing that, we're saying that we're not going to do any construction until next year, because we'd have to go back through SHPO. It took long enough to get these landscape improvements through that we should be very conscious about redesigning that which our staff is qualified to design and perhaps designing it from up here is really not what we should be doing."

Responding to a point raised by two Councilors that SHPO hasn't approved the landscaping plans yet, so can be changed, City Manager Jim Romero clarified that the City has shared the Plaza improvement plans with SHPO, and if

the plans are changed, “we’d have to go through the process all over again. If there are no changes now, Secretary Ashman did indicate to us that he can have that set of plans back to us, with their approval, by the end of the month.”

Councilor Heldmeyer stated that SHPO has approved the gazebo the way it is designed and in the location it has been planned for, and if that changes, the City would have to go back through the process. She said the landscaping plan has not been approved, however, and Secretary Ashman said he could get it back in 30 days, “but he did not say he would get it back to us in 30 days with approval. My understanding of what’s going on with SHPO in terms of this plan is the raised beds are something of a sticking point.... and there are people in that office who are not comfortable with them. They may come back in 30 days and say that’s fine with us, or they may not.”

Mayor Delgado recalled receiving a memo from Randy Thompson, who attended a meeting at SHPO, outlining the State’s concerns about the landscaping, but he did not remember any mention of raised beds.

Mr. Chavez agreed that was not one of the points.

Councilor Pfeffer commented that he did not think it would create “much of a wave at SHPO” if the City were to build the gazebo exactly as is, with the single exception that the two columns on Palace Avenue and the two columns facing the Plaza be removable. He recalled Secretary Ashman also stating earlier in this meeting that “temporary stuff doesn’t even come into their purview.”

Councilor Wurzbarger said she wasn’t convinced that “seeing a structure on top of a structure under a temporary tent is something we want to perpetuate as a long-term solution.” She stated that she was more comfortable with continuing with a temporary stage, with direction to staff to find a place for it during the four or five days a year it is needed, whether that be on San Francisco, Palace, or one of the other two streets on the Plaza.

Councilor Heldmeyer proposed an amendment that Councilor Wurzbarger remove the part of her motion that has to do with a temporary stage, and replace it with: and staff is directed to find solutions to the problems of the two events a year that need a bigger stage.

Councilor Wurzbarger accepted the amendment as friendly.

Councilor Bushee proposed an amendment that wherever a stage is located, the City work with all of the participating groups and performers and staff to come back through a committee, in a public process, on how that will be resolved.

Councilor Bushee said she was speaking to where the stage would be located, what it would look like, how big, etc.

Mayor Delgado asked Councilor Bushee if she was suggesting that staff work on adapting the gazebo as suggested by Councilor Pfeffer to make it work for the three or four events, and Councilor Bushee responded, "That's fine. Then it's kind of a combination of motions."

The amendment was accepted as friendly.

Councilor Pfeffer moved an amendment that the four posts — two towards the Plaza, and two towards Palace Avenue — would be removable.

The amendment was accepted as friendly.

Councilor Chavez questioned the need to remove four of the columns rather than two.

Councilor Pfeffer explained that the two posts on the Palace Avenue side block the view to the stage; and the two posts on the Plaza side are hazardous to the dancers. He said it would be structurally simple to do this.

Councilor Chavez pointed out that the temporary stage can go on one side or the other, so asked why removing the four posts was necessary, and Councilor Pfeffer responded that it was for flexibility.

Councilor Chavez remarked that this would add to the cost. He said that, if the temporary bandstand and the gazebo are going to stay in the same location, and keep Palace clear, it would seem to make more sense to put a temporary bandstand on the interior of the Plaza and take out the two posts he suggested taking out earlier (in the front).

Councilor Pfeffer responded that he didn't think the temporary bandstand would fit.

The motion, with the amendments, passed on the following Roll Call vote:

For: Councilor Lopez; Councilor Pfeffer; Councilor Wurzburger; Councilor Bushee; Councilor Chavez; Councilor Coss; Councilor Heldmeyer.

Against: Councilor Ortiz.

In voting, Councilor Ortiz said he was persuaded by the testimony of people who spoke against the gazebo "and the rush to do something to beautify the Plaza." He pointed out that the City could simply sod the Plaza and water it, and perhaps get a new temporary stage. He also questioned the rush to get the

gazebo built. He said another six months or a year makes no difference given the long history of the Plaza.

**CONSIDERATION OF BILL NO. 2003-34: ADOPTION OF ORDINANCE
NO. 2003- . (Councilor Heldmeyer and Councilor Chavez)
An Ordinance Creating a New Section 14-8.15 SFCCC 1987
Regarding Transportation Impact Studies; Transportation
Requirements and Amending Section 23-3.1 Regarding Curb Cut
Permits.**

**a) CONSIDERATION OF RESOLUTION NO. 2003-___.
(Councilor Heldmeyer and Councilor Chavez)
A Resolution Adopting Administrative Procedures for
Transportation Impact Studies.**

Councilor Wurzburger noted that it was almost 11:00 p.m. and several Councilors had questions about this.

Councilor Wurzburger moved to table these items to the next meeting to allow proper consideration. Councilor Pfeffer seconded the motion, which passed on the following Roll Call vote:

**For: Councilor Ortiz; Councilor Pfeffer; Councilor Wurzburger;
Councilor Bushee; Councilor Lopez.**

Against: Councilor Chavez; Councilor Coss; Councilor Heldmeyer.

COMMUNICATIONS FROM THE GOVERNING BODY

Councilor Coss

Councilor Coss congratulated Transit on the tenth anniversary of the bus system.

Councilor Chavez

Councilor Chavez introduced a resolution supporting the establishment of a demonstration, display and sales area for locally made crafts at Sweeney Center in accordance with the City's CAT Plan.

Councilor Chavez asked that this go to the Public Works Committee and then to Council.

Councilor Wurzburger

Councilor Wurzburger introduced an ordinance amending various sections of the Lodgers Tax authorizing the City to pursue the extra 1% Lodgers Tax for the Civic Center, and a resolution in support of that, for public hearing at the November Council meeting.

Councilor Wurzburger said this would go to the Public Works and Finance committees.

Councilor Bushee

Councilor Bushee introduced an ordinance that would be the impact fee version of the park in lieu of fees, which could be done through land dedication or a park impact fee.

Councilor Bushee asked Mr. Romero for the status of the downtown master plan resolution, and Mr. Romero responded that he has talked to staff about strategy. He said he would try to call Councilor Bushee by the end of this week.

Councilor Bushee said she needs to work with staff on changes to terrain management with regard to replacement of piñon trees.

Councilor Lopez

Councilor Lopez said she would be introducing a resolution supporting the GRIP (Governor Richardson's Investment Partnership).

Councilor Heldmeyer

Councilor Heldmeyer invited the public and Governing Body to a special RPA meeting on Friday at 1:00 p.m., with public input starting at 5:00, in room 322 of the Capitol Building. She said there will be presentations from communities that have done water wholesaling agreements and discussion by the RPA as to whether or not that is a good idea.

Councilor Heldmeyer thanked Mr. Romero for his work on the brown water issue. She commented that, while the City still doesn't know what is causing the brown water in zone 3, staff has tried a number of things. She said that a high tech water leak detector has been hired to find any leaks, and on Friday staff will decide whether or not to go with "the big flush."

Councilor Heldmeyer recalled that the City was going to get benches to go on Burro Alley for people who wanted to sit there but didn't want to pay for the privilege. She asked if they have arrived.

Mr. Romero said he would follow up on that.

Mayor Delgado

Mayor Delgado commented that no one wants to see the “big flush,” but it may come to that. He said many people have been living with the problem for quite some time. He stressed to Mr. Romero that, if the City decides to do the flush, “it’s really important that you get out in the public and make sure that they know what this is all about.” Mr. Romero responded that the City plans a very aggressive PR campaign.

Mayor Delgado introduced a resolution supporting the design and construction of Camino de las Montoyas.

ADJOURN

Its business completed, the Governing Body adjourned the meeting at approximately 11:00 p.m.

Approved by:

Mayor Larry A. Delgado

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully Submitted:

Judith S. Beatty, City Council Reporter

